

NEWS FROM COMMISSIONER LIZ STEFANICS  
DISTRICT 5 - SANTA FE COUNTY  
DECEMBER 8, 2015  
BOARD OF COUNTY COMMISSION SUMMARY

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## HAPPY HOLIDAYS

*I wish you Peace and Health during this  
Holiday Season and all year long*

Thanks,

*Liz*

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### December 8, 2015 BCC Summary

Below is a summary of the actions taken by the Santa Fe Board of County Commissioners (BCC). All five Commissioners were present.

The meeting minutes from the November 2, 2015 Special BCC Meeting and November 10, 2015 Regular BCC Meeting were passed by unanimous vote 5-0.

#### Employee Recognitions

- Fire Training Captain Jim Lovell was Recognized for his Twenty Years of Service to Santa Fe County and his Retirement from the Santa Fe County Fire Department.

#### CONSENT CALENDAR - All Items Approved by Unanimous Vote 5-0

##### FINAL ORDERS

- CDRC CASE # V/FDP 15-5170 Jacona Collection Center. Santa Fe County, Applicant, Received Conditional Approval from the County Development Review Committee

(CDRC) for Final Development Plan to Allow a Facility to be Utilized as a County Collection Center on 19.63 Acres  $\pm$ . The Applicant Requested Approval by the Board of County Commissioners for a Variance of Ordinance No. 2002-6, Article III, Section 4.4.4(C) (Maximum Height) to Allow the Structure to Exceed 24 Feet in Height, a Variance of Ordinance No. 2000-01, Section 2.3.6.D.2, to Allow Retaining Walls to Exceed 10 Feet in Height and a Variance of Article VII, Section, 3.4.1.1.C.1 (No Build Areas) to Allow 5 Isolated Disturbances of 30% Slope for Access Roads Totaling 1,313 Square Feet. (Commission District 1)

#### **RESOLUTION**

- Resolution No. 2015-168, Authorized the Donation of Fixed Assets in Accordance with State Statute.
- Resolution No. 2015-169, A Budget Decrease to the EMS Fund (206) to Adjust the Budget for the Current Year Allocation to the Actual Distribution Amount/(-10,374).

#### **MISCELLANEOUS**

- Request Approval for Waiver from Section I of Ordinance No. 2012-5 to Purchase Fourteen (14) Police Interceptors in the Sum Amount of \$337,932.25, Utilizing the State of New Mexico Purchasing Agreement and Authorizing the County Manager to Sign and Execute the Purchase Order.

*End of Consent Agenda*

**ACTION ITEMS – All Action Items Approved by Unanimous Vote (any Commissioners not present for vote will be listed after item)**

#### **MISCELLANEOUS**

- Approval of Application for Business Lease to the New Mexico State Land Office for 320 Acres of State Trust Land Adjacent to the Thornton Ranch Open Space.
- Amendment No. 2 to a Memorandum of Understanding Between the New Mexico Department of Transportation and Santa Fe County for the Northeast Connector from Saint Francis Drive to Richards Avenue. Approved 4-0 (Commissioner Roybal not present for vote).
- Approval of an Alternate Means of Compliance Request for La Pradera and Authorization for the Land Use Administrator and County Manager to Execute any Agreements necessary to Implement the Board of County Commissioners' Direction.
- Memorandum of Understanding between the City of Santa Fe and Santa Fe County for the Senior Campus @ Caja del Rio Allowing Discharge into County Wastewater Collection System and then into City Wastewater Collection and Treatment System.

#### **RESOLUTIONS**

- Resolution No. 2015-170, Reallocated Proceeds from Santa Fe County's General Obligation Improvement Bonds, Series 2013 from Water and Wastewater Projects to Roads within the County in Compliance with Voter Approved Project Limits.

- Resolution No. 2015-171, A Budget Increase to the 2013 GOB Fund (351) and Capital Outlay GRT Fund (313) from Cash Carryover and an Increase to the State Special Appropriation Fund (318) and Corresponding Decrease to the Water Enterprise Fund (505) for an Overall Budget Increase for Various Capital Projects/\$108,201.
- Resolution No. 2015-172, Determined Reasonable Notice for Public Meetings During Calendar Year 2016 of the Board of County Commissioners of Santa Fe County and for Boards and Committees Appointed By or Acting Under the Authority of the Board of County Commissioners; Establishing Permissible Meeting Locations and a Webcast and Broadcast Policy; and Rescinding Parts of Resolution No. 2015-59.
- Resolution No. 2015-173, Supported the New Mexico Grown Fresh Fruit and Vegetables for School Meals Program.

#### **ORDINANCES**

- Authorized County to Publish Title and General Summary of an Ordinance for 2015-\_\_\_\_, The Place at Caja Del Rio, a Senior Living Project, Local Economic Development Act (LEDA) Project Ordinance.
- Authorized County to Publish Title and General Summary of An Ordinance Amending the Dedication of the Third One-Eighth Increment of the County Gross Receipts Tax Imposed By Ordinance No. 1987-6.

#### **MATTERS FROM THE COUNTY MANAGER**

- Miscellaneous Updates

#### **MATTERS FROM THE COUNTY ATTORNEY**

##### **EXECUTIVE SESSION (Closed Session) – All Five Commissioners were Present**

- Discussion of the Purchase, Acquisition or Disposal of Real Property or Water Rights, as allowed by Section 10-15-1(H)(8) NMSA 1978, and Discussion of Competitive Sealed Proposals Solicited Pursuant to the Procurement Code, as Allowed by Section 10-15-1(H)(6) NMSA 1978.
  - Proposal Submitted in Response to RFP # 2015-0031-PW, La Bajada Ranch Development.
  - Proposals for General Liability and Law Enforcement Insurance Coverages for Calendar Year 2016.
- Threatened or Pending Litigation in which Santa Fe County is or may Become a Participant, as Allowed by Section 10-15-1(H)(7) NMSA 1978, Including the Following:
  - Potential Breach of Contract Actions.
  - Litigation Involving Santa Fe Film and Media Studios, Inc. and La Luz Holdings, LLC.
  - Prohibited Practices Complaints Filed Against the Board of County Commissioners of the County of Santa Fe with the Public Employees Labor Relations Board.
  - City of Espanola, et al., v. County Commission of Santa Fe County, et al., State of New Mexico, County of Santa Fe, First Judicial District, No. D-101-CV-2015-01396.

### **Actions Taken in Open Session as Result of Closed Session**

- Resolution No. 2015-174, Authorized the County Manager to Negotiate the Terms of General Liability and Law Enforcement Insurance Coverages for Calendar Year 2016 and to Execute Purchase Orders and Other Documents Necessary to Effectuate Such Coverages. Approved by unanimous vote 5-0.
- Authorization for the County Manager to Negotiate and Execute on Behalf of the County a Forbearance Agreement with Santa Fe Film and Media Studios, Inc. and La Luz Holdings, LLC, Pursuant to Which the County Would Forbear for a Time from Exercising its Rights to Seek Remedies for their Defaults Under the County's Various Agreements with those Parties. Such Forbearance to be in Exchange for Consideration and on Such Terms and Conditions as the County Manager Determines to be in the Best Interests of the County. Approved by unanimous vote 5-0.
- Authorization, In the Event a Forbearance Agreement is not Executed or if Santa Fe Film and Media Studios, Inc. and La Luz Holdings, LLC Breaches the Executed Forbearance Agreement, Authorization for the County Attorney to Initiate and Prosecute in the Name of the Board of County Commissioners Such Actions and Proceedings as are Necessary or Proper to Seek Remedies for Those Parties' Defaults and Take any other Action Necessary or Proper to Exercise and Enforce the County's Rights Under its Agreements with Those Parties. Approved by unanimous vote 5-0.

*End of Closed Session*

### **PUBLIC HEARINGS**

#### **ORDINANCES - All Ordinances Approved by Unanimous Vote 5-0**

- Ordinance No. 2015-09, Authorized the Issuance and Sale of the Santa Fe County, New Mexico Hold Harmless Gross Receipts Tax Revenue Bonds, Series 2015, in an Aggregate Principal Amount of \$25,000,000 for Purposes of Defraying the Costs of Planning, Designing, Constructing, Reconstructing, Renovating, Rehabilitating, Equipping, and Furnishing Necessary County Buildings and Facilities, Including, Without Limitation, County Facilities Located at the County Administration Building and at the Old Judicial Complex, and To Pay Costs of Issuance of the Bonds; Approving the Principal Amounts, Maturities, Prices, Redemption Features, and Other Details of the Bonds; Ratifying the Distribution of a Preliminary Official Statement in Connection with the Sale of the Bonds; Providing that the Bonds Shall Be Special, Limited Obligations, and for the Payment of the Principal of and Interest on the Bonds from the Revenues of the Hold Harmless Gross Receipts Tax which are Distributed to the County by the New Mexico Taxation and Revenue Department Pursuant to Section 7-1-6.13 NMSA 1978; Providing for the Pledge of Such Revenues by the County; Ratifying Action Previously Taken in Connection With the Bonds and Repealing All Ordinances in Conflict with this Ordinance.
- Ordinance No. 2015-10, Established Development Permit and Review Fees for Projects in Santa Fe County, New Mexico; and Repealing Ordinance 2008-12 and Section 9.A (Fee Table) of Ordinance No. 2010-6 (Motion Picture and Television Productions).
- Ordinance No. 2015-11, Amended and Restated in Its Entirety the Sustainable Land Development Code (SLDC), Ordinance 2013-6.

- Ordinance No. 2015-12, Adopted the Zoning Map of Santa Fe County Applicable to Lands to Which the Santa Fe County Sustainable Land Development Code Applies.

#### **LAND USE CASES**

- CDRC CASE # MP/DP 13-5000 Amma Center. Amma Center of New Mexico, Applicant, Dolores Vigil, Agent, Request Master Plan, Preliminary and Final Development Plan Approval to Allow Existing Structures to be Utilized as a Religious Institution on a 40 ± Acre Site. Approved by unanimous vote 5-0. (Commission District 4)

#### **The Following Land Use Cases Approved by Unanimous Vote 3-0 (Commissioners Holian and Stefanics were not present for votes)**

- CDRC CASE #Z/DP 14-5370 PNM Caja del Rio Solar Energy Center Project. In Accordance with an Order from the First Judicial District Court in Case D-101-CV-2015-01488, Public Service Company of New Mexico, Applicant, Laurie Moye, Agent, is Requesting to Vacate a Master Plan Zoning, Preliminary and Final Development Plan Approval which Allowed a 5 Megawatt Electric Solar Facility on a 40 Acre Site. (Commission District 2)
- CDRC CASE # V 15-5220 Heidi Seizys Home Occupation Variance. Michael and Heidi Seizys, Applicant, James Siebert, Agent, Request a Variance of Article III § 3.2 (Home Occupation Performance Standards) to Allow a Dog Rescue Facility which Exceeds 50% of the Floor Area of the Existing Dwelling on 6.52-Acres. (Commission District 5)
- CDRC CASE # S 15-5310 Cienda Partners (Las Terrazas Phase III) Preliminary Plat, Final Plat, and Development Plan Amendment. Cienda Partners, Applicant, Scott Hoeft, Agent, Request a Preliminary Plat, Final Plat, and Development Plan Amendment to Sub-Phase the Previously Approved Las Terrazas Phase III Residential Subdivision (46 Lots on 43.63 Acres) into Two Phases. Sub-Phase 3A Will Consist of 24 Residential Lots and Sub-Phase 3B Will Consist of 22 Lots. (Commission District 2)
- BCC CASE# MIS 10-5552 Tessera Phase II Preliminary Plat and Development Plan Time Extension. Homewise, Inc., Applicant, Design Enginuity (Oralynn Guerrerortiz), Agent, Request a 36-Month Time Extension of the Previously Approved Preliminary Plat and Development Plan for the Tessera Phase II Residential Subdivision Consisting of 78 Residential Lots on 69.40 Acres. (Commission District 2)

The BCC Packet is available online by clicking the BCC meeting event on the Events calendar or visiting the BCC committee page [www.santafecountynm.gov/committees/board\\_of\\_county\\_commissioners\\_bcc](http://www.santafecountynm.gov/committees/board_of_county_commissioners_bcc).

All approved Ordinances and Resolutions are available on the County website at

[www.santafecountynm.gov/ordinances\\_and\\_resolutions](http://www.santafecountynm.gov/ordinances_and_resolutions) once they are approved and recorded.

All BCC meetings are broadcast live at [www.santafecountynm.gov](http://www.santafecountynm.gov), on Comcast Ch. 28 and on Que Suave AM 810. to view recorded video of this BCC meeting visit [www.santafecountynm.gov/video\\_on\\_demand/](http://www.santafecountynm.gov/video_on_demand/).

Transcripts of the meeting will be available within 10 working days at [www.santafecountynm.gov](http://www.santafecountynm.gov), once approved.

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